

Interview Summary

Application No.

10/798,286

Applicant(s)

DAVIS ET AL.

Examiner

Marc E. Norman

Art Unit

3744

All participants (applicant, applicant's representative, PTO personnel):

(1) Marc E. Norman.

(3) _____

(2) Nicholas Whitelaw.

(4) _____

Date of Interview: 27 November 2007.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: 1-18 and 20.

Identification of prior art discussed: Davis et al. (6,772,601) and Davis et al. (6,769,265 - which Applicant submits is not prior art).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative raised the issue of the 131 Affidavit, indicating that he believe that the 6,769,265 reference could be used as evidence that Applicant had possession of the claimed invention at least as early as March 12, 2003, and thus could invalidate the 6,772,601 as prior art. Applicant's representative also argued that he believes that 102(e) rejection over the 6,772,601 reference is improper..

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



MARC NORMAN
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required